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August 9, 2006

**BY E-FILE**

The Honorable Gregory M. Sleet  
U.S. District Court for the District of Delaware  
U.S. Courthouse  
844 N. King Street  
Lockbox 19  
Wilmington, DE 19801

Re: Talecris Biotherapeutics, Inc. v. Baxter International Inc. and Baxter  
Healthcare Corporation, D. Del., C.A. No. 05-349-GMS

Dear Judge Sleet:

On July 31, 2006, pursuant to Section 5(a) of the Scheduling Order in the above-referenced action, counsel for the Baxter parties requested a discovery teleconference with the Court. In anticipation of that teleconference, scheduled for August 11, 2006 at 10:00 a.m. (EDT), the parties jointly submit the following items that they wish to present to the Court:

**Baxter's Issues:**

- Plaintiffs' claim of inadvertent production of allegedly privileged documents.
- Plaintiffs' deficient document production in response to Baxter's First Set of Requests for Production of Documents.
- Plaintiffs' deficient supplemental responses to Baxter's First Set of Interrogatories.

**Talecris' and Bayer's Issues**

- Defendants' deficient document production in response to Plaintiffs' First and Second Set of Document Requests, including more specifically: sales and marketing information for GAMMAGARD® Liquid and KIOVIG; out of specification documents (or their equivalents) for batches that were not released; batch records; documents relating to Defendants' failure to achieve use of projected capacity; all recent correspondence with the FDA and other regulatory

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agencies; licenses; and documents pertaining to the June 24, 2004 recall of GAMMAGARD® S/D.

- Defendants' deficient responses to Plaintiffs' First and Second Set of Interrogatories.
- Defendants' deficient responses to Plaintiffs' Requests for Admission, more specifically Nos. 6 and 18.

Respectfully,

A handwritten signature in black ink, appearing to read "Philip A. Rovner", with a stylized flourish at the end.

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PAR/mes/744733

cc: Jeffrey B. Bove (by e-file and hand delivery)  
Bradford J. Badke (by e-mail and Federal Express)